

2017 Trafficking in Persons Report : Estonia

The Government of Estonia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Estonia remained on Tier 2.

The government demonstrated increasing efforts by opening the first fully state-funded center dedicated to treating victims of child abuse, including sexual violence and trafficking. Estonian authorities investigated, prosecuted, and convicted more trafficking cases and provided training on labor trafficking in each of its counties. However, the government did not meet the minimum standards in several key areas.

In 2016, the government required police to initiate an investigation for presumed victims to receive trafficking-specific services, though general victim support services were available, including counseling and legal assistance. This requirement discouraged victims from coming forward and limited the publicly funded services available to trafficking victims.

RECOMMENDATIONS FOR ESTONIA

Further amend the Victim Support Act to remove barriers to victim identification and government-funded assistance; increase efforts to investigate, prosecute, and convict traffickers under section 133 of the penal code; increase specialized training for investigators and prosecutors on applying section 133 and working with victims serving as witnesses; encourage police and the labor inspectorate to investigate labor trafficking, including labor recruiters engaging in fraudulent practices; provide training for judges to ensure the judiciary understands the severity of the crime when issuing sentences; encourage more victims to assist prosecutions by facilitating access to effective legal counsel; and inform victims of the option to pursue court-ordered compensation from their traffickers.

PROSECUTION

The government increased law enforcement efforts. Sections 133 and 175 of the penal code criminalize sex and labor trafficking and prescribe a maximum penalty of up to 15 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Section 133 criminalizes the use of force, threats, or other forms of coercion to make a person engage in prostitution, begging, criminal offenses, or other labor.

Section 175 criminalizes trafficking as a person who influences a child (under the age of 18) to engage in a criminal offense, begging, prostitution; or the production of

pornography. Police investigated 15 new cases under section 133 in 2016, an increase from four in 2015. Authorities also registered 59 crimes under section 175, most of which involved the same perpetrators and victims.

In 2016, the government prosecuted 14 cases under section 133, an increase from three cases over the past three years. Authorities also began prosecutions in 32 cases under section 175. Courts convicted 11 traffickers under section 133 in 2016, nearly tripling its four convictions in 2015. Eight traffickers received prison sentences, which ranged from 16 months to five years. Courts also convicted eight individuals under section 175.

The government provided training sessions for 45 law enforcement officials to facilitate cooperation on forced labor cases, but it did not provide training to the judiciary. All of Estonia's counties received training on labor trafficking, specifically on how to identify, investigate, and improve cooperation between different organizations. Authorities cooperated in three transnational investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained protection efforts. Per the Victim Support Act, a police report must be filed for presumed victims of trafficking to be eligible for government-funded, trafficking-specific services. This requires victims to divulge personal, traumatizing information early in their recovery, which serves as a disincentive for victims to come forward.

A provision to the Victim Support Act passed during the reporting period allowed victims to receive services for up to 60 days before, during, or after criminal proceedings. Fourteen victims received government-sponsored assistance, compared with 16 in 2015. The government newly identified nine victims of which eight were victims of child sex trafficking and one was a male third-country-national victim of labor exploitation.

In 2016, authorities identified one foreign child victim, who did not receive a temporary residency permit; in 2015, authorities identified two foreign victims and provided them temporary residence permits, accommodation, and education. In 2016, the social security board allotted approximately €196,050 (\$206,590) on trafficking victims support, whereas the government allotted €86,000 (\$90,620) in 2015.

In addition, the Ministry of Social Affairs provided approximately €99,000 (\$104,320) to an NGO providing support services to women in prostitution, some of whom may have been sex trafficking victims. In 2016, the government amended the Victim Support Act; further amendments are anticipated in 2017.

Authorities placed unaccompanied children and child victims in alternative care facilities. The government opened the first fully statefunded, dedicated center for victims of child abuse, including sexual violence and trafficking; it provided psychological, physical, and

social needs evaluations and services. Adult male victims had access to legal counseling and other services. A witness protection law allows trafficking victims to provide testimony anonymously, but it was unknown whether this has ever been applied in a trafficking case or whether victims had ever served as witnesses in criminal trials. Victims did not receive restitution in 2016.

PREVENTION

The government increased prevention efforts. Authorities ran multiple awareness campaigns targeting schoolchildren, specialists working with children, and labor workers, and in collaboration with IOM and an NGO, released a creative call, asking young people to produce trafficking-related videos and art work.

Objectives for the 2015-2020 plan for reducing violence, including trafficking, included amending the Victim Support Act to provide trafficking victims with easier access to services. The anti-trafficking working group, with 35 government agencies and NGOs, continued to meet regularly and published an annual public report of its activities.

The government provided an NGO with approximately €40,000 (\$42,150) to operate an anti-trafficking hotline; the hotline received 420 calls from individuals vulnerable to trafficking during the reporting period. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Estonia is a source, transit, and destination country for women and girls subjected to sex trafficking and for men, women, and children subjected to forced labor. Estonian women and girls are subjected to sex trafficking within Estonia and in other European countries.

Men and women from Estonia are subjected to conditions of forced labor within Estonia and elsewhere in Europe, particularly in the construction, cleaning, and social welfare sectors, as well as in seasonal jobs. Estonian children are forced to commit crimes, such as theft, to benefit their exploiters. Men from Ukraine and Moldova are subjected to labor exploitation within Estonia, particularly in construction. Vietnamese nationals subjected to forced labor and sexual exploitation transit Estonia en route to other EU countries.